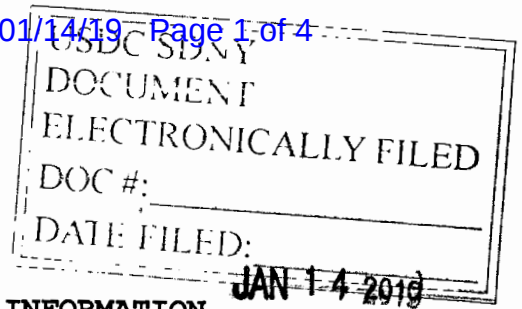


ORIGINAL



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

----- X
UNITED STATES OF AMERICA :

- v. - :

ALAIN SPIRA, :

Defendant. :

----- X

INFORMATION

19 Cr. ____ (KPF)

19 CRIM 030

COUNT ONE

(Bank Fraud)

The United States Attorney charges:

1. From at least in or about June 2014 through at least in or about March 2015, in the Southern District of New York and elsewhere, ALAIN SPIRA, the defendant, willfully and knowingly, did execute and attempt to execute a scheme and artifice to defraud a financial institution, the deposits of which were then insured by the Federal Deposit Insurance Corporation, and to obtain moneys, funds, credits, assets, securities, and other property owned by, and under the custody and control of, such a financial institution, by means of false and fraudulent pretenses, representations, and promises, to wit, SPIRA transmitted false sworn statements reflecting inaccurate and inflated inventory possessed by, and accounts receivable owed to, his business, A.S. Diamonds Inc., in order to fraudulently induce his lending institution to extend him

JUDGE FALLA

millions of dollars in credit under the terms of a revolving credit facility.

(Title 18, United States Code, Sections 1344 and 2.)

FORFEITURE ALLEGATION

2. As a result of committing the offense alleged in Count One of this Information, ALAIN SPIRA, the defendant, shall forfeit to the United States, pursuant to Title 18, United States Code, Section 982(a)(2)(A), any and all property constituting, or derived from, proceeds obtained directly or indirectly, as a result of the commission of said offense, including but not limited to a sum of money in United States currency representing the amount of proceeds traceable to the commission of said offense that the defendant personally obtained.

Substitute Assets Provision

3. If any of the property described above as being subject to forfeiture, as a result of any act or omission of the defendant:

a. cannot be located upon the exercise of due diligence;


b. has been transferred or sold to, or deposited with, a third person;

c. has been placed beyond the jurisdiction of
the Court;

d. has been substantially diminished in value;
or

e. has been commingled with other property
which cannot be subdivided without difficulty;
it is the intent of the United States, pursuant to Title 21,
United States Code, Section 853(p), and Title 28, United States
Code, Section 2461(c), to seek forfeiture of any other property
of the defendant up to the value of the forfeitable property.

(Title 18, United States Code, Section 982;
Title 21, United States Code, Section 853; and
Title 28, United States Code, Section 2461.)


GEOFFREY S. BERMAN
United States Attorney

Form No. USA-33s-274 (Ed. 9-25-58)

UNITED STATES DISTRICT COURT
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(18 U.S.C. §§ 1344 and 2.)

GEOFFREY S. BERMAN
United States Attorney.
